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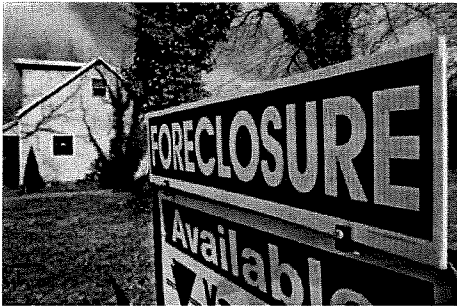
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Attorney General Bill McCollum opens investigations into foreclosure law firms

By Abel Harding (Abel Harding) | August 10, 2010 - 6:07pm



AP Photo/Mel Evans, file

Florida Attorney General Bill McCollum opened investigations Tuesday into allegations of unfair and deceptive practices by three of the state's largest foreclosure law firms.

The investigations are targeted at Fort Lauderdale-based The Law Offices of Marshall C. Watson, P.A.; Tampa-based Shapiro & Fishman, LLP; and Plantation-based The Law Offices of David J. Stern, P.A. The Attorney General previously opened investigations into

Florida Default Law Group, a foreclosure firm based in Tampa, and Jacksonville-based Fidelity National Financial.

Read: Florida investigating 'bogus' foreclosure records

Stern's practice was sued last month in U.S. District Court, Southern District of Florida, by Fort Lauderdale attorney Kenneth Eric Trent, who represents South Florida resident Ignacio Damian Figueroa and is seeking class-action status.

In the suit, Trent says that Stern's law firm generated fraudulent mortgage assignments when pursuing foreclosures, something the suit says violated the Racketeer Influenced and Corrupt Organizations Act.

"There's an intentional haze that no one can get through," said Trent. "It's designed to hide the fact that no one can prove who owns these mortgages."

Because many mortgages have been bought and sold by different institutions multiple times, paperwork involved in the process to obtain foreclosure judgements is often missing. Trent said Stern's firm overcame that obstacle by creating an assignment, which was signed by a Stern employee instead of a representative of the lender attempting to foreclose.

Trent said news of the Attorney General's investigation added legitimacy to his case.

"It's a rotation of the snowball that will hopefully lead to the avalanche that will force widespread change in Florida's foreclosure practices," he said.

The Attorney General's office said it served subpoenas on the three firms and was also investigating whether or not the firms had created affiliated companies outside the United States where the documents were prepared.

"Our primary concern is that Florida homeowners have access to due process," said Sandi Copes, a spokesperson for the Attorney General's office.

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